



ATTORNEY DOCKET NO.: 0492611-0392 (MIT 9128)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Anderson, et al.	Examiner:	Shibuya
Serial No.:	09/803,319	Art Unit:	1639
Filed:	March 9, 2001		
For:	Uses and methods of making microarrays of polymeric biomaterials		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**DECLARATION UNDER 37 C.F.R. 1.131**

We, Daniel G. Anderson, Robert S. Langer, and David A. Putnam declare as follows:

1. We are the inventors of the subject matter disclosed and claimed in United States patent application Serial No. 09/803,319 ("the '319 application") filed March 9, 2001 and entitled "USES AND METHODS OF MAKING MICROARRAYS OF POLYMERIC BIOMATERIALS".
2. This Declaration is presented for the purpose of removing from consideration by the Examiner U.S. Patent No. 6,699,665, by Kim, et al. ("Kim"). Kim issued as a patent on March 2, 2004, from an application filed on November 8, 2000. The present Declaration is presented in accordance with *In re Stempel*, 113 USPQ 77 (CCPA 1957) and establishes conception and reduction to practice of the invention in this country before November 8, 2000.
3. On a date before November 8, 2000, we conceived and reduced to practice our invention of a microarray of polymeric biomaterials.
4. Exhibit 1 is a copy of several pages from the computerized laboratory notebook of Daniel Anderson, with dates blacked out. Exhibit 1 provides evidence of conception and actual